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The Short Oxford History of France

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# Old Regime France

1648–1788

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Edited by William Doyle

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# The state and political culture

Julian Swann

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'Louis by the grace of God, king of France and Navarre, to all those who will see these letters, present and to come, greetings.' With this phrase French kings began the preamble to all laws issued in their name, and once the terms of the legislation had been expounded they concluded with a majestic 'for such is our pleasure'. Taken together these few words conjure up an enduring image of the divine right monarchy of the old regime. In 1614, the deputies of the third estate had implored the estates general to declare it a fundamental law that the king 'is sovereign in his state, holding his crown from God alone, there is no power on earth, be it spiritual or temporal which has any authority . . . to depose the anointed person of the king'.<sup>1</sup> Their plea was, in part, a response to the assassination of Henri IV and to memories of the terrible civil wars of the previous century. Vaunting the power of the crown offered hope of preventing a repetition, and, once the Fronde had provided another glimpse into the abyss, few questioned the virtues of a powerful monarchy.

Enthusiasm for the divine right of kings dovetailed neatly with other theories stressing the sacred nature of monarchy. The king of France was no mere mortal. At his coronation he was anointed with oils from a phial that had, according to legend, been delivered to Saint Rémy by the Holy Spirit in the guise of a dove. Thereafter, like members of the priesthood, the king received communion in both

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<sup>1</sup> Y. M. Bercé, *The Birth of Absolutism: A History of France, 1598–1661* (London, 1992), 58.

kinds. Finally, his sacred character was underlined by an ability to cure by touching those afflicted with the 'king's evil', scrofula. With such an imposing pedigree, bishop Bossuet could, without embarrassment, declare that kings 'are Gods and share in some way in divine independence'.<sup>2</sup>

Sovereignty was firmly in the hands of the crown and there was no parliament to check royal authority. The estates general of 1614 was the last to meet before 1789, and the ability of French kings to govern without a national representative body was a defining feature of absolute monarchy. Not that their rule was considered tyrannical or arbitrary. Royal theorists were unanimous in arguing that authority should be exercised in accordance with divine and natural law, respecting the teaching of the Catholic church and the lives and property of the subject. The king was expected to seek counsel before making decisions and was restrained by the fundamental laws of the kingdom. Despite their imposing title, they were not embodied in any constitutional document and were never formally written down. Instead they consisted of general principles such as the inalienability of the royal domain, the Salic law of succession (through the direct male line), and, after the conversion of Henri IV in 1593, that the king should be a Catholic. Taken together these safeguards were enough to persuade the French that they lived under an absolute monarchy, not a tyranny or, as eighteenth-century writers usually described it, a despotism.

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## King in council

From 1661, when Louis XIV took the momentous decision to rule as his own first minister, until the revolution of 1789, French kings governed through a remarkably stable ministerial and conciliar system. At its apex was the *conseil d'en haut*, where the king weighed the great affairs of military and diplomatic policy with a handful of counsellors known as ministers of state. Attendance was by royal invitation only, and many with vast departmental responsibilities were never called to

<sup>2</sup> J.-B. Bossuet, *Politics drawn from the very Words of Holy Scripture*, ed. P. Riley (Cambridge, 1990), 82.

council, or were summoned only intermittently to lend particular expertise. The other great council held in the presence of the king was that of dispatches, which was primarily concerned with the internal affairs of the kingdom. In addition to the members of the *conseil d'en haut*, it included the chancellor, who was head of the judiciary, and the controller-general of finances. Below them were the royal council of finances (which the king attended), the privy council, where he was rarely present, and, periodically, councils of conscience and of commerce. As their names suggest, these bodies dealt with more technical legal, fiscal, religious, and economic matters.

Amongst the ministers of state who served Louis XIV and Louis XV were the respected generals d'Huxelles, Villeroy, Villars, and Noailles, and leading ecclesiastics including cardinals Fleury and Tencin. The sun king was, however, reluctant to call upon the services of the princes of the blood. Placing these powerful men on the council was fraught with danger, as they viewed the king as the first among equals, and they were accustomed to pursuing their own policies irrespective of those of the crown. Louis XIV compensated the princes by showing exaggerated respect for their rank within the social and courtly hierarchy, and by rewarding their loyalty with titles, pensions, gifts, and sinecures. His successors followed in his wake, and before 1789 there was no serious repetition of the treachery and rebellion of the religious wars and the Fronde.

Alongside the ministers of state were the four secretaries of state (war, navy, foreign affairs, and the royal household) who, together with the chancellor and the controller-general of finances, dominated government after 1661. The title of controller-general was given to Colbert after the fall of the superintendent of finances, Nicolas Fouquet, the principal victim of Louis XIV's decision to rule as his own first minister. The immense energy and prestige of Colbert ensured that the tentacles of the controller-general reached into the most remote areas of the kingdom's fiscal and administrative system. Yet it was an office that lacked status within the ministerial hierarchy, something which had serious ramifications during the eighteenth century when the occupants of the post changed continuously. As a result, the finance minister could not restrain the spending of the secretaries of state, nor establish the personal authority needed to make the administration and its personnel bend to his will.

When it came to choosing his ministers Louis XIV was a model of

consistency. Those favoured came overwhelmingly from the robe nobility, and especially the Colbert, Le Tellier and Phélypeaux families. Colbert and Le Tellier had come to prominence by serving Mazarin, but Louis XIV allowed them to found great ministerial dynasties and their sons, Seignelay and Louvois, followed them into government. When the king died in 1715, Colbert's nephews, Desmaretz and Torcy, were respectively controller-general and secretary of state for foreign affairs. The secretary of state for the navy was a Phélypeaux, the count de Pontchartrain, son of the chancellor and controller-general of that name and the father of Maurepas. The latter became secretary of state in 1723 at the age of 22, and, despite being disgraced in 1749, allegedly for writing rude verses about Madame de Pompadour, he returned as Louis XVI's mentor in 1774!

The ministerial clans engaged in fierce competition amongst themselves, but Louis XIV was able to count upon their undivided loyalty and in a personal reign of fifty-four years he only felt it necessary to disgrace three ministers. During the eighteenth century, instability became a feature of government with ministers dismissed by the score. The old ministerial dynasties began to lose their grip. New sources of recruitment were opened up, some of which would have horrified Louis XIV. He had never appointed members of the Court aristocracy to the offices of secretary of state, hence Saint-Simon's famous quip that they were held by the 'vile bourgeoisie'. The poisoned quill of the acerbic duke was inspired by his belief that government ought to be the preserve of aristocrats like himself, and after 1715 his dreams were partially fulfilled. During the regency of Philippe d'Orléans, Saint-Simon and other *grandeess* participated in the *polysynodie*, a short-lived experiment in conciliar government. Its collapse in 1718 has often been attributed to the incapacity of the *grandeess*. In reality, it was only a temporary setback to their ambitions. Louis XV was less wary of the great aristocracy than his predecessor. After 1750 its members were regularly appointed to the office of secretary of state, adding a further dimension to the faction fighting at Versailles, and causing friction with the robe nobility that had traditionally dominated ministerial office.

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## The royal Court

The palace of Versailles was one of the most potent and enduring symbols of Bourbon monarchy. Louis XIV made it his principal residence and the seat of his government in 1682, and his decision was long thought to be part of a cunning plan to tame the rebellious French aristocracy. Those that the king distrusted, such as the duke de La Rochefoucauld, found themselves appointed to offices that demanded daily attendance on his person, while the Great Condé was espied rowing ladies around the artificial lake. Domesticated at Court, they were separated from their provincial governorships and were unable to maintain the ties of personal loyalty and clientage that had been the basis of their military power. Court was also horribly expensive and the sums required to fuel the ostentatious lifestyle of a grandee potentially ruinous. When Louis XIV stepped in with financial gifts to soften the blow, these formerly independent warlords found themselves reduced to dependence. It is only necessary to recount the tales of fearsome battles amongst courtiers about precedence and etiquette to complete a sorry tale of an aristocracy trapped in a gilded cage.

Like all good caricatures there is a grain of truth in such a portrait, but Versailles offered as many advantages as it did inconveniences to the grantees. In a rigidly hierarchical society, proximity to the king was worth its weight in gold, reflecting the rank and status of the courtier. Here lies the explanation for the many seemingly petty quarrels about precedence or etiquette. Even minor details were potentially significant, marking out the distinctions between competing groups or families. Moreover any office or privilege that brought access to the monarch was coveted as a route to patronage and advancement with titles, offices, and sinecures providing ample compensation for the rather boring and menial task of waiting on the king. Competition was fierce and factionalism was a permanent feature of Court life, with cabals forming in the hope of capturing the king's ear and of monopolizing the patronage at his disposal. The ministries of Richelieu and Mazarin offered perfect illustrations of what could happen when a favourite ruled in the king's stead, and both had used their position to amass colossal fortunes, while ruling



through an administration staffed by their 'creatures'. So absolute was their authority that other courtiers, including Louis XIII's mother, Marie de Medici, his brother, Gaston d'Orléans, and the prince de Condé were driven to revolt.

There would be no repeat of such behaviour during the personal reign of Louis XIV and the sun king was at his most masterful when it came to managing the Court. He cultivated an image of Olympian detachment by scrupulously protecting the respective ranks and dignities of the *grandeues*. He was no less attentive to their incessant claims and counter-claims for patronage, realizing that the balanced distribution of his favour was the key to harmony. Finally, he rewarded the loyalty of his aristocracy by appointing its members to the highest positions in church and state as bishops, generals, diplomats, and court officials.

Versailles was, therefore, part of a royal strategy that reinforced the prestige of the most powerful families in the kingdom, more than making up for any loss of influence in the provinces. Louis XIV used every nuance of Court life to his advantage, but neither of his successors had his masterful touch. Whereas the sun king had been careful to keep the *grandeues* satisfied with honours and commands appropriate to their station, Louis XV chose aristocrats such as the dukes de Choiseul, Praslin, and d'Aiguillon as his secretaries of state. Winning control of the ministry became one of the principal goals of the Court cabals and the bitterness of their rivalries undoubtedly contributed to the political instability that preceded the revolution. Louis XVI, on the other hand, was unable to preserve an image of impartiality. The queen, Marie-Antoinette, gradually gained control over both ministerial appointments and patronage, attracting vicious criticism from those excluded from her charmed circle in the process.

Despite the effectiveness of Versailles in projecting the image and authority of the monarchy, it was not without cost. By withdrawing to the great palace and to others dotted around Paris, successive kings cut themselves off from their subjects, and from an older tradition of monarchy built upon regular public display. This was particularly damaging during the eighteenth century when neither Louis XV nor Louis XVI made more than a handful of *sorties* beyond the Île-de-France. They thus failed to cultivate public affection, or to imitate monarchs such as Frederick II of Prussia or George III of

Great Britain who were so adept at associating themselves with the lives and patriotism of their subjects.

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## State and administration

Although absolute in theory, the power of French kings was much more limited in practice. France had no common legal code or administrative system, many of its people spoke languages other than French, and individuals, towns, corporations, and provinces all possessed a bewildering array of privileges. Before 1789, the kingdom was divided into the historic provinces that had been added piecemeal to the crown over the centuries. Dynastic accidents had led to the acquisition of Burgundy and Brittany, in 1476 and 1532 respectively; Louis XIV conquered Franche-Comté in 1678; and Lorraine did not become part of France until 1766. When they inherited or captured a province, or even a town, monarchs recognized their existing privileges. These rights were guarded jealously, and one of the most predictable sights of a new reign was the procession of local worthies petitioning the king for their confirmation.

Provinces were divided between the *pays d'états*, such as Artois, Brittany, Burgundy and Languedoc, which had preserved the right to assemble the local estates, and the *pays d'élection* where that privilege had lapsed. Royal authority in the provinces was represented by the governor, who was usually a prince of the blood or a great aristocrat. Before 1660, an able governor could rule as a minor potentate, using his prestige and patronage to win the personal allegiance of local nobles and office-holders. Condé and the other *frondeur* princes had used their governorships as recruiting grounds for their campaigns against Mazarin. The political finesse of Louis XIV, who kept the princes at Court rather than in the provinces, and the growing strength of the royal army gradually rendered noble revolts obsolete, but the governors remained important. Many civil and military appointments were in their personal gift, and their rank and proximity to the king made them highly attractive as power-brokers for provincials seeking the favour of the government.

A governorship was a lucrative and prestigious position, but it was not a sinecure. In moments of crisis, the incumbent was expected to

come to the aid of the province. When the terrible winter of 1709 threatened Lyon with famine, the governor, Villeroy, sent troops to secure grain from neighbouring Burgundy. His actions produced a clash with the governor of that province, the prince de Condé, who on several occasions made plain his refusal 'to see Burgundians starve to feed Lyon'.<sup>3</sup> Burgundy was a Condé family fief, and in 1775 his successor came to the aid of Dijon, arguing furiously with the controller-general, Turgot, whose doctrinaire pursuit of free trade in grain had caused hardship and unrest in the city. In more prosperous times, the governors contributed to the embellishment of the artistic, cultural, and economic life of the provinces, sponsoring public buildings, learned academies, and new industrial ventures.

In theory, the crown had thousands of office-holders to carry out its business, including, among others, the members of the parlements, courts of aids, chambers of accounts, bureaux of finances, and the grand council. In addition to acting as the highest courts of appeal within their jurisdictions, the parlements traditionally policed public order, watched over the supply of essentials such as bread and firewood and supervised the administration of prisons and hospitals. The courts of aids heard appeals against tax assessments and investigated abuse in the fiscal system, especially relative to the *taille*, while the chambers of accounts verified the accounts of tax-collecting bodies such as the provincial estates or bureaux of finances. The grand council, on the other hand, was a tribunal for the adjudication of disputes within the legal system, especially those involving the parlements or between a parlement and the lower presidial courts. It also heard certain privileged cases such as those affecting the religious orders.

On paper, the king possessed an impressive officialdom, but it should not be confused with a modern bureaucracy. Since the sixteenth century, French monarchs had sold judicial and administrative offices to the highest bidder, and in return for an annual payment allowed office-holders to pass on their charge to their descendants or sell them on. To make them attractive, offices came complete with privileges, including hereditary nobility for the most exalted, and membership of a corporate body. This system, known as venality, was

<sup>3</sup> Archives Départementales de la Côte d'Or, C 3144, fos. 298–9.

a lucrative source of income for the crown, and it was a boon to the upwardly mobile. The great ministerial dynasties, and many of the most dynamic servants of the Bourbon monarchy, acquired nobility through the purchase of office.

There was, however, a price to pay. The only means of removing the office-holders was through reimbursement and the chronic state of the royal finances prevented even Colbert from achieving that aim. As a result, the government was obliged to work with these powerful corps, whose recruitment was beyond its control and which were frequently more concerned with their own, or provincial, interests, than those of the king. Even when such clashes were avoided, often large assemblies of office-holders were difficult to manage, and they were ill-suited to providing the rapid decision-making and unbiased local information that the government needed. It was, in part, to circumvent these problems that the crown became increasingly attracted to the solution offered by the intendants.

The period from 1660 to the revolution was the golden age of the intendants, who were commissioners appointed by the king. They were sent to one of the fiscal and administrative regions known as generalities to act in matters pertaining to 'justice, police and finance'. As the boundaries of generalities roughly coincided with those of the provinces, intendants had often been the clients of governors and even after 1661 it was advisable for them to tread carefully. In 1694, D'Argouges, intendant of Burgundy, made the fatal mistake of crossing the Condé family and was recalled. Long afterwards his successors trembled at the mention of the governor. Elsewhere their more fortunate colleagues were able to take advantage of the wide-ranging nature of their commissions to become the driving force of provincial administration.

The majority of intendants were recruited from the ranks of the robe nobility. A typical candidate had been educated in the law before passing a brief spell in one of the parlements. From there he bought the office of master of requests, acting as the king's judge and reporting to the royal council, where he could hope to impress a patron ready to open the doors of an intendance. Once in place, the intendants faced a truly daunting task. First they were expected to act as the eyes and ears of the government, and Colbert and his successors expected an almost daily flow of information. Even the most cursory glance through the voluminous correspondence they generated

reveals that the duty was performed conscientiously. Official files overflow with reports on, for example, the state of the harvest, the condition of the highways, and the behaviour of provincial institutions and their members. Fiscal matters were, however, uppermost in the minds of the intendants. They were expected to draw up the rolls of the *taille*, and later those of the new direct taxes—the capitation, tenth, and the twentieth—and oversee their collection. Keeping abreast of this crucial task obliged them to make regular tours of their generality, and the ideal intendant was a peripatetic beast. Knowledge of local terrain helped reduce fraud and evasion, kept local officials on their toes, and provided the basis of the reports despatched to Versailles.

The intendants were also burdened with a variety of other duties. They supervised the raising of the militia regiments, implemented commercial schemes, inspected fairs and markets, and settled local judicial disputes. Many other tasks could be added to this list, and it is not surprising that they acquired a reputation for omnipotence. During the seventeenth century, men such as Pellot, intendant of Poitou, Bouchu, intendant of Burgundy, or Basville, in Languedoc, laboured away for decades as trusted servants of the crown, while in the next century their successors such as Turgot or Bertier de Sauvigny, respectively intendants of Limoges and the generality of Paris, were amongst the most enlightened administrators of their age. That these later examples are drawn from the *pays d'élections* was not a coincidence. It was there that the intendants had the greatest freedom to act upon their own initiative. In the *pays d'états*, on the other hand, a strong tradition of local self-government reduced their authority considerably.

To deal with such an imposing workload, the intendants were forced to recruit local deputies, called subdelegates, to assist them. Colbert frowned on the practice, but by 1700 they had become part of the administrative furniture, and at the end of the old regime the thirty-three intendants were served by over 700 subdelegates. Yet these were hardly imposing numbers when we consider both the physical size of the kingdom and its burgeoning population of some 28 million. Without denigrating their immense efforts, it is clear that the intendants were also restrained by social and political realities. Mostly recruited from the narrow circle of the Parisian robe nobility, they were frequently the clients of ministers. Moreover despite official

regulations stipulating that intendants should not spend more than three years in one generality, or be sent to their own regions, these rules were regularly flouted. Even when the intendant had no personal connections in the province where he served, maintaining the guise of an inflexible agent of the central government was likely to prove counter-productive. If he antagonized local elites, he risked provoking not only opposition to his policies, but also a flood of angry correspondence to his masters in Versailles. To thrive, an intendant needed to cultivate support by showing a willingness to listen to the local population and, where appropriate, to intervene with the government on its behalf. Problems with raising the militia or arrears in taxation were commonly explained away by the poverty of the region, or the paucity of the harvest, and ministers were always on the lookout for evidence that an intendant was 'going native' and neglecting his primary duty of serving the king.

Within the *pays d'états*, the power of the intendant was more restricted. Together with the governor, he represented the king at the assemblies of the provincial estates, presenting the royal demands to the deputies of the three orders. The estates had preserved the right of consent to taxation, and the most pressing problem was to secure the necessary approval for a 'free gift' (*don gratuit*), and, after 1695, the capitation and other direct taxation.

Traditionally the voting of monies was a protracted business, often strung out over weeks, with the governor and intendant obliged to use all of the charm, patronage, and threats at their disposal in order to produce an offer acceptable to the king. Louis XIV found the practice of haggling with his subjects demeaning, and by the late 1670s he had effectively ended it. When the provincial estates met, they no longer engaged in a lengthy ritual of offering the smallest free gift compatible with decency and then gradually increasing it until compromise was reached. Instead, they accorded the full amount requested by the king by acclamation. This was not the result of Louis XIV's threats, or the despotic nature of 'absolutism'. When the estates showed respect and obedience, the king rewarded them by reducing his demands. The monarch thus received the outward signs of submission that he craved, while the estates had a real incentive to comply. With the periodic exception of Brittany, this model of mutually beneficial cooperation endured without significant modification until 1787.

Provincial estates which continued to meet were, therefore, powerful and independent institutions. When they were not assembled, they delegated their authority to permanent commissions, and these bodies, not the intendants, carried out the vast majority of fiscal and administrative tasks. The intendants were forced to work with the commissions, and their role involved more supervision and negotiation than in the *pays d'élection*. Despite these qualifications, the intendants were impressive royal servants, and they did achieve a remarkable amount given the obstacles they faced. They offered a first taste of uniform government in the sense that every generality had an intendant from 1689, when Brittany finally fell into line with the rest of the kingdom.

Although the intendants have captured the historiographical headlines, there were others toiling away in important, if less glamorous, administrative posts. Secretaries of state and controllers-general came and went, but their teams of clerks (*commis*) remained in place. First clerks such as Malet, Mesnard de Conichard, or Marie de Villiers were amongst the most prestigious of several hundred who laboured for the ministry, and they were probably the inspiration for the economist Gournay when he coined the term *bureaucracy* in the middle of the eighteenth century. These were not venal appointments, and talent and technical expertise as well as the patronage of a minister were essential ingredients in a successful career. Not surprisingly, many clerks stayed in their posts throughout the revolutionary and Napoleonic periods, providing the backbone of the state. Similar patterns are detectable amongst both the engineers of bridges and roads, who were responsible for the impressive expansion of the road network during the eighteenth century, and the inspectors of manufactures. Entrance to these posts was increasingly by competitive examination, and proven competence and professionalism were required for advancement. The old regime state was therefore an uneasy amalgam of traditional and more modern forms of administration which were frequently in competition with one another.

## The fiscal military state

From 1660 until the Revolution only one decade, that of the 1720s, was entirely peaceful, and the French state had been forged by the demands of war. The great conflicts of Louis XIV's reign saw the kingdom fighting desperately against ever more powerful coalitions. To do so required mobilization of men and materials on a hitherto unseen scale. During the Thirty Years War, the rival armies often resembled little more than mercenary bands, and to put 50,000 troops in the field was a major achievement. Thanks to the painstaking work of the secretaries of state, Le Tellier and his son Louvois, the situation was transformed. Rigorous attention to the perennial problems of arming, housing, and feeding troops allowed ever larger forces to be raised, and, more importantly, to be kept on a war footing even in peacetime. In what might justifiably be called a military revolution, the army rose to a staggering 360,000 by the early eighteenth century. No less remarkable was the growth of the navy, which, at its peak in the 1680s, briefly challenged the maritime hegemony of England and the Dutch republic. The cost of these forces and the campaigns they waged was astronomical, and by the end of the War of the Spanish Succession in 1713 France was in debt to the tune of 2,000 million *livres*. Although the size of the army declined to a peacetime level of 160,000 by the reign of Louis XVI, war was no less expensive and the bill for the War of American Independence alone amounted to over 1,000 million *livres*.

The means by which the monarchy raised the revenue for these campaigns says much about the nature of the old regime and the reasons for its eventual demise. The *taille*, which was paid by the third estate, and especially the peasantry, was the principal direct tax. In the course of the century after 1690, direct taxation was extended to include all lay members of French society. In 1695, the introduction of the capitation marked the end of noble fiscal exemption, and it was followed by the tenth (1710–17, 1733–6, 1740–8) and its successor the twentieth (1749–89). Only the Catholic church was able to preserve its independence, and continued to vote its own 'free gift' to the king.

In the *pays d'élection*, it was the intendants who drew up the tax rolls and oversaw the fiscal administration, but in the *pays d'états* that



task fell to the permanent commissions of the provincial estates. Within individual parishes, it was the peasants who organized the collection of the tax and they were held jointly responsible for producing their allocation. If anyone absconded, or refused to pay, it was left to their fellow parishioners to make up the difference. These sums passed to local receivers, who had bought their office from either the crown or the provincial estates. They had done so in pursuit of profit, and in addition to their fees substantial sums stuck to their fingers and to those of the receivers-general who oversaw their activities for the generality as a whole. Nor was the royal treasury filled with public servants. Those funds that were not consumed at a local level flowed into central funds (*caisses*) that were themselves controlled by office-holders acting in their own interest as well as that of the king. This intermingling of public and private motives was even more blatant in the field of indirect taxation. The crown leased the collection of customs and excise duties to syndicates of tax farmers, who paid a cash advance and often an interest free loan as security to the king. Naturally enough, they had a vested interest in extracting the maximum from taxation because every penny they received over and above that paid for the lease was profit.

Tax revenues were rarely sufficient in themselves to cover royal expenditure, and the government was obliged to borrow heavily to meet its engagements. After 1688, it became increasingly clear to French statesmen that they were at a financial disadvantage relative to the Dutch and the English, who could float loans far more cheaply. The absence of a national parliament, and its own justly deserved reputation for sharp practice, account for the monarchy's discomfort. It did, however, compensate partially through a ruthless exploitation of both venality and the wider system of privilege. Between 1689 and 1713, new offices were created in profusion, encompassing every profession from judge to that of taster of spirituous liquors. Nor was the sale of office the only way funds could be extracted from venality. Once a profession had been venalized, it was relatively easy to extort fresh funds from its members by threatening to create new offices, or to reduce its privileges. Both policies threatened to undercut the market price of existing offices, and to protect their patrimonies the endangered owners proposed cash gifts for the withdrawal, or moderation of the crown's demands. If their appeal was granted, they would then borrow privately using their collective prestige, salaries,

and privileges as collateral. As the king usually thanked them for their public-spiritedness by graciously confirming those rights, they had the security required to borrow at comparatively low rates of interest. It is easy to imagine how unpopular these measures were, and they were not helped by their method of implementation. Private *traitants* paid for the right to sell offices much as farmers-general leased the right to collect taxation. Not surprisingly, they were adept at finding new areas to venalize, or in suggesting existing corps that might be squeezed further, and they were consequently detested.

Through its fiscal expediency, the monarchy reinforced the system of venality and privilege that it had created. Historians have often wondered why, for example, the *pays d'états* survived after 1661, and the answer is to be found, in part, in their ability to raise credit. They were continually obliged to advance money to the crown in order to 'buy out' unwanted offices, or deflect royal interference in their affairs. This was a provincial variation on the general theme of the royal extortion of corporate bodies. During the eighteenth century, however, the system was extended with the king ordering the provincial estates to borrow on his behalf. Using their far superior credit, they were able to raise funds at only 4 or 5 per cent, receiving in return a portion of the receipts from the capitation or twentieth with which to pay the interest and amortize the capital. For the estates and their creditors it was almost too good to be true. They were being offered a regular and secure investment opportunity which they seized with alacrity. Provincial estates also profited from royal penury by negotiating what were termed *abonnements* for the capitation and twentieths. In return for a cash advance to the crown, that was usually much inferior to the actual value of a particular tax, they received the right to levy it themselves. As the estates were controlled by urban office-holding and noble elites, the fiscal burden was then deflected onto the peasantry.

By milking the system of venality and privilege the monarchy raised billions, but by reinforcing the power of the office-holders and alienating its taxes to the pampered elites of the towns and the *pays d'états*, it made necessary reform even harder to achieve. Moreover the use of extortion and fiscal blackmail to raise funds had its costs, confirming the government's reputation for bad faith—the very reason why the public was reluctant to lend to it in the first place! That such a ramshackle fiscal system did not collapse before 1788 is a

tribute both to the monarchy's resourcefulness and to the patience and resilience of its subjects. But the relative decline of France as a military power after 1750, and the initial outbreak of revolution in 1789, had fiscal origins.

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## The critics of state power

If historians are today more conscious of the limits of royal power, contemporaries nevertheless feared the strength of Louis XIV's state. As memories of the Fronde receded and wars took their toll, critical voices were once again heard. Some came from predictable sources, notably the Huguenot victims of religious persecution. In a fiery pamphlet, *The Sighs of France Enslaved*, the exiled Calvinist pastor, Pierre Jurieu, accused Louis XIV of acting tyrannically not only by persecuting his Protestant subjects, but also by stripping the nobility, towns, and provinces of their liberties. Similar conclusions were reached by Fénelon, tutor to Louis XIV's grandson, the duke de Burgundy, and his fellow dukes, Chevreuse and Beauvillier. They formed a Court-in-waiting, and as Louis XIV's reign dragged on they busied themselves with plans for reform. They lamented the loss of representative institutions, and planned to reintroduce provincial estates into the *pays d'élection*, to abolish the intendants and even to call an estates general. Another target of their ire was the centralization of the royal administration, and its alleged secrecy and lack of accountability. Criticizing the king directly was clearly not advisable, and it was the secretaries of state who bore the brunt of the attack, being charged with the crime of 'ministerial despotism'.

What united critics of Louis XIV was the belief that French government had become arbitrary, authoritarian, and unrepresentative. These dissident voices were largely confined to the ranks of the exiled Huguenots or to aristocratic salons before 1715, but in the course of the eighteenth century criticism began to seep into the public domain. The parlements were particularly important to this process, repeating the attacks on ministerial despotism and the arbitrary and inefficient nature of the royal administration in their many remonstrances. These texts were published and widely disseminated amongst the literate public, and, after 1750, they were accompanied by

a wider debate about the desirability of reviving provincial representative institutions. In private, some radical spirits dreamed of a restored estates general, and the first public calls for such an assembly were heard by the end of the reign of Louis XV.

Given the traditional image of absolute monarchy, it seems incongruous that such ideas should have been circulating throughout the seventeenth and eighteenth centuries. Yet both contemporaries and many subsequent historians were dazzled by the first twenty years of Louis XIV's personal reign, assuming that the monarchy was indeed as powerful as the theorists and propagandists claimed. In fact, the years between 1660 and 1685 were something of an aberration, a brief period of calm in an otherwise choppy sea.

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## The parlements

While the existence of dissident voices should never be ignored, the French monarchy was nevertheless viewed by the majority of its subjects not as a despotism, but as a government tempered by the laws. In addition to the moderating influence of the Catholic church, they took comfort in the existence of corporate bodies that restrained the crown. The most significant of these were the parlements. The parlement of Paris was the highest court of appeal in a vast jurisdiction covering approximately one-third of the kingdom. By 1789, there were also twelve provincial parlements, sitting in cities such as Aix-en-Provence, Bordeaux, Grenoble, and Rouen. Judges in the parlements were venal office-holders who had, in many cases, invested fabulous sums for the privilege of belonging to one of these august institutions. In terms of prestige, the parlement of Paris was at the apex of the judicial system, and the dignity of its members was reinforced by their association with the princes of the blood and the peers who participated in their assemblies on great public occasions.

Parlements were not representative institutions, but nor were they mere law courts. Whenever the monarch issued new, or revised, legislation, including that affecting fiscal matters, it was sent to the parlements for registration. The judges then examined the law to ensure that there were no conflicts with existing jurisprudence. Where they found none, the law was added to the court's registers

and was published and enforced by its officers. If, on the other hand, they found grounds for an objection, they could delay its implementation while they petitioned the sovereign with remonstrances. On certain contentious subjects, notably their own privileges, taxation, or religious affairs, the judges often repeated this process several times before registration. Should the king wish to accelerate matters, or to end an unseemly squabble, he could command obedience at a 'bed of justice'. In Paris, this quaintly named ceremony was attended by the king in person, together with the princes, peers, and great officers of the crown, while in the provinces it was the governor who presided. The disputed legislation was presented by the chancellor who, after listening to a justification of the parlement's resistance from its first president, made a tour of the assembly, before approaching the king and declaring the law registered. It was an elaborate charade which, through the performance of ritual, disguised the imposition of the royal will.

If the crown was patient, however, and allowed the judges to deliberate and even remonstrate where necessary, it could usually count upon achieving prompt registration. By submitting laws to the scrutiny of the parlements, it also gained significantly in the process. While there was theoretically nothing to stop the king from issuing laws as *arrêts du conseil*, he rarely did so because contemporaries were almost unanimous in believing that registration conferred a solemnity and authority that laws would otherwise lack. Despite the frustration of both Louis XV and Louis XVI with the obstructionism of the parlements, the monarchy enjoyed a symbiotic relationship with these great law courts, and without them would, in all probability, have faced a rendezvous with the estates general before 1789.

It is true that in 1673, Louis XIV curtailed the power of the parlements by obliging them to register laws before presenting remonstrances. His decision horrified former *frondeurs* like Jean Le Boindre, who wrote that as 'the French had changed their laws and their monarchy, they might as well change their name'.<sup>4</sup> He was obliged to brood in silence, and despite his anger we should note that the king never challenged the legitimacy of either registration in the parlement or remonstrances. Over the period as a whole, the

<sup>4</sup> J. Le Boindre, *Débats du parlement de Paris pendant la minorité de Louis XIV*, ed. R. Descimon and O. Ranum (Paris, 1997), 355.

relationship between the crown and its judges produced more debate and conflict than might be expected within a theoretically absolute monarchy. Without ever being revolutionary, the parlements expounded a set of legal principles which, while not incompatible with royal sovereignty, acted as a brake on its exercise. Central to their claims was the right to 'free verification' of the law. If, for example, the king refused to hear remonstrances, arrested or exiled judges, tried to cut short parliamentary assemblies or held a bed of justice, he was almost certain to provoke an angry response. Bound together by their esprit de corps the judges were tenacious opponents. They were most easily roused in defence of their own honour and jurisdiction, quarrelling with rival law courts, the clergy, and any other institution brave enough to risk their wrath. Self-interest played a significant part in their thinking, especially on fiscal matters, but it was not their sole motivation. They did have a wider conception of their role which included the presentation of public grievances. As the parlement of Paris noted in 1718, in the absence of the estates general, 'your Parlement, sire . . . is the only channel by which the voice of your people can reach you'.<sup>5</sup>

Those who were anxious to see an institutional check on the powers of the crown were happy to concur, overlooking the venal nature of the parlements to accord them a representative role. This was most apparent in the case of the parlement of Paris which was not only presented as a substitute for the estates general, but even as the true parliament of France. This argument first surfaced during the Fronde in a controversial pamphlet entitled the *Judicium Francorum*, which gave a novel twist to radical theories first advanced during the sixteenth-century religious wars. Whereas Huguenot resistance theorists had argued that the estates general was the descendant of ancient French parliaments that had met in the age of the Franks and the Gauls, the author of the *Judicium Francorum* claimed that the parlement of Paris was that true parliament of the kingdom. During the personal reign of Louis XIV any supporters of this theory kept their thoughts to themselves. In 1732, however, the *Judicium Francorum* was dusted off and reprinted by Jansenist lawyers anxious for support in their campaign against the religious policies of cardinal de Fleury. The parlement reacted angrily, ordering the

<sup>5</sup> J. Flammermont, *Les Remonstrances du parlement de Paris au xviii<sup>e</sup> siècle* (3 vols., Paris, 1888-98), i. 101.

pamphlet to be lacerated and burnt by the public executioner. Yet when the religious troubles flared again during the 1750s, the ideas contained within the *Judicium Francorum* were popularized in a more substantial work, the *Lettres historiques* of 1753–4, written by the Jansenist lawyer, Louis-Adrien Le Paige. Within months, his theories had been integrated into the remonstrances of the parlement which, in August 1756, boldly declared that it had an unbroken 1,600-year history dating back to the ‘birth of the French monarchy’.<sup>6</sup>

To bolster these fanciful claims, the Parisian judges reached out to their colleagues in the provinces by declaring their affiliation to the mother parlement in Paris. Rather than forming separate institutions, the provincial courts were ‘classes’ of the one and indivisible national body. Having conjured up a national parlement, it was but one small step to transform it into a parliament by challenging the ritual of a bed of justice. In 1756, Le Paige published a pamphlet which took his theories to their logical conclusion by claiming that those present had the right to give their opinions openly, and not, as was currently practised, sit silently while the chancellor counted their imaginary votes. If one believed that the parlement of Paris really was the successor to the Frankish assemblies, it was difficult to find fault with his argument. Unfortunately, as many were well aware, the origins of the parlement were to be found in the thirteenth and fourteenth centuries, not at the side of Clovis or Charlemagne.

Yet whether they shared Le Paige’s historical vision or not, many judges were prepared to endorse aspects of it because he confirmed their belief that the parlement held a special place amongst the kingdom’s institutions. Montesquieu had already popularized the notion of the parlements as intermediary powers, ensuring that France was a monarchy and not a despotism, and the judges themselves were forever reminding the king that they were the guardians of the ‘fundamental laws’. Indeed so insistent were their references to the latter, that Louis XV once asked chancellor de Lamoignon what they meant. With understandable embarrassment, he was forced to admit that he was unsure. Lamoignon had no need to reproach himself. For the parlement, the beauty of such concepts lay in their very vagueness. Quarrels with rival corps, or even the crown, could acquire a whole new dimension by being invested with the gravitas of

<sup>6</sup> Flammermont, *Remonstrances*, ii. 26, 73.

a defence of the fundamental laws. Many of the constitutional arguments advanced by the judges during times of conflict were therefore rhetorical strategies, intended to achieve more limited objectives than their evocative language suggests. As part of a privileged professional and social elite, they were instinctively conservative and with very few exceptions devoutly monarchist. It was, however, frequently a more legalistic and restricted conception of monarchy than that held by the Bourbon kings and their ministers.

Because of its symbolic and political importance and proximity to Versailles, the parlement of Paris was regularly drawn into the high political world of the Court. Its deliberations during the Fronde, for example, were nearly always graced by the presence of princes of the blood, or members of the peerage. They realized that the parlement gave legitimacy to their opposition to the regency government. Louis XIV was determined to avoid a repetition of such behaviour. He worked assiduously to confine the judges to their legal duties, and tried to limit their contacts with Versailles by forbidding them from sitting on the councils of the princes.

When the parlement was once again permitted to remonstrate before registration in 1715, its political power was restored and the barriers separating it from Versailles fell into disrepair. By cementing links of faction and clientage with the judges, ministers and courtiers could hope to influence their deliberations. If the parlement obstructed legislation, the credit of a minister could be challenged and he might even be disgraced, thus creating an opening for those who had plotted his fall. Predictably it was the controller-general who was most vulnerable, and attempts to introduce new taxation or reform the fiscal system were, from his perspective, fraught with danger.

Within the parlement similar calculations were also being made. The great robe dynasties of, for example, Joly de Fleury, Lamoignon, Maupeou, Molé, and d'Ormesson competed for the highest judicial offices of chancellor, first president, and procurator-general. Their rivalries and jealousies continually affected the behaviour of the parlement. When Lamoignon de Blancmesnil became chancellor in 1750, his defeated rival, first president de Maupeou, was accused, not without some justification, of encouraging opposition in the court to embarrass his new superior. After 1768, when Maupeou's son was named chancellor, he quickly discovered that he had bitter critics



amongst the other robe clans that resented his good fortune. The willingness of Louis XV to choose his controller-general directly from the benches of the parlement, as occurred in 1763 and 1769, stoked the flames of internal rivalries yet further, because there was no shortage of would-be candidates for such a powerful post.

Finally, after 1750, the parlement of Paris sought to draw the princes and the peers into its disputes with both the clergy and the crown. The judges issued invitations to participate in their deliberations in, for example, 1752, 1756, 1760, and 1766, which were quickly countermanded by an angry Louis XV. His action infuriated the *grandeurs*, many of whom were encouraging the parlement and hoping to exercise a more direct role in its affairs. The king's discomfiture provided a perfect illustration of how the tight political control exercised by the sun king had been allowed to lapse. As Louis XVI stumbled through the pre-revolutionary crisis of 1787–8, it was a dangerous combination of princes, parlements, and people that would prove his undoing.

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## Corporate politics

In the hierarchical and corporate society of the old regime, the monarch reigned supreme. It was he who created and confirmed the rights, distinctions, and privileges of his subjects, and acted as the arbiter of their claims and disputes. Arguing about who should take the lead in a procession, dress in a particular fashion, or be allowed to sit, on what, and in the company of whom, are just a selection of the myriad disputes that were a daily feature of life in France before 1789. One of the most notorious quarrels involved the dukes and peers and the presidents of the parlement of Paris. The affair hinged on whether or not the presidents should remove their bonnets in the presence of the peers. Despite its seemingly superficial nature, this was a crucial issue as it would seal the respective positions of the disputants in the social hierarchy. As for the parlement of Dijon, it spent several months in exile for refusing to allow the local military commandant to sit in the governor's armchair. It prompted one Burgundian wit to note that, just as much passes between 'the glass and the nose', so too does it 'between the arse and the armchair' (*entre les fesses et le*

*fauteuil*).<sup>7</sup> In the world of the law, jurisdiction was a perennial cause of contestation. The parlements and the church were continually at loggerheads about appeals, when secular courts overturned the verdicts of their spiritual counterparts (*appels comme d'abus*). They were not alone. Protecting honour and status was an obsession at every level of society, and corps of wigmakers or winemakers were no less anxious to uphold their dignity and precedence than the most exalted judge or cleric.

For the king, however, the sight of his subjects locked in struggle was reassuring. They looked to him to resolve their bickering, providing living proof of the old proverb that he was the father of his people. The crown allowed some of these quarrels to continue for generations, but its procrastination was the result of more than just an exercise in divide and rule. Any firm decision was liable to produce at least one disappointed party, whose loyalty might then be in question. Delay, on the other hand, kept all sides on their best behaviour, for fear that a false move would prove fatal.

In these corporate struggles, access to the king and members of his council was vital, either to assist a favourable verdict, or to block an unfavourable one. The church was in a particularly happy position, and could exert influence through the king's confessor, Court sermons, and the intervention of courtly prelates as well as via the official route of episcopal deputation. The parlements and provincial estates also enjoyed privileged access to the monarch, and by the later eighteenth century the presentation of remonstrances was an almost daily event. While even the most lowly corps or group of office-holders could petition the king, they could be less confident of receiving a hearing. If they were not careful, their remonstrances would accumulate unread on the desks of the first clerk or masters of requests. To avoid that fate, they required the good offices of an intermediary, who could convey their message to a higher authority.

Foremost amongst the power-brokers of the old regime were the provincial governors and intendants. With their ability to open the doors of ministers and even the king, they were an indispensable ally for an embattled corps. Others who might play a similar role were local bishops, or aristocrats, willing to plead their cause at Versailles. When two institutions from the same province were in conflict,

<sup>7</sup> Bibliothèque Nationale MS Fr 10435, fo. 34.

potential power-brokers could expect to be contacted by both sides, if only out of a desire to neutralize their 'good offices'. The first clerk and the masters of requests, who controlled the flow of information to ministers and the royal council, were another coveted source of influence. Wherever possible, corps sent deputies to court in order to wait on these officials and to be on hand to forestall any ambushes prepared by their rivals. The more affluent amongst them sought to insure their position by keeping influential power brokers on a form of retainer. In addition to the sums traditionally dispensed on the governor, controller-general, and intendant, the estates of Burgundy petitioned successfully for the right to pay a pension of 3,000 *livres* to the first clerk, Mesnard de Conichard, in 1769. Less powerful institutions had to limit themselves to the occasional gift and regular displays of deference in the hope of protecting their interests. As for the power-brokers, they had the satisfaction of seeing their place in the social and institutional hierarchy, the basis of their influence, reinforced.

Approaching the powerful was not the only strategy pursued in the Darwinian world of old regime politics. During the Fronde the Parisian law courts had joined together in opposition to cardinal Mazarin, and the parlement of Paris threatened the government of Louis XV with the theory of a 'unity of classes' on several occasions after 1756. Yet when chancellor Maupeou implemented his dramatic remodeling of the judicial system in 1771, the parlements never dared to put their theory into practice. When their offices were threatened with additional taxation, the kingdom's bureaux of finances also explored the prospect of an association in 1774. This, and other similar projects, came to naught because once such bodies went beyond a rhetorical expression of equality, they found themselves confronted by the imposing obstacles of particularism, privilege, and precedent.

In the *pays d'états*, friction between the provincial estates and the local parlement was a perennial feature of administrative life. Fiscal matters were especially controversial, and the parlements denounced what they perceived as abuse in the collection of taxation. Their protests were not always altruistic, and they would have liked nothing better than to act as the censors of local government. Brittany was the one exception to this conflictual picture, and after 1750 the provincial estates and the parlement of Rennes mounted joint opposition to taxation. This resistance was almost solely the work of the numerous

Breton nobility who dominated both institutions. Any noble who could prove that his family had belonged to the second order for at least 100 years was eligible to sit in the estates. Hundreds took advantage of the privilege. By day, they gathered to denounce royal policy, while at night they expected to eat, drink, and make merry at the king's expense. As these sessions could continue for weeks, it is easy to understand the crown's subsequent frustration. The sheer number of nobles made it difficult to employ the traditional tactics of patronage and bribery that were so successful in Burgundy or Languedoc. Moreover, as many of the Breton nobility were comparatively poor, they were especially sensitive to increases in direct taxation and they had the ideal platform from which to voice their discontent.

If horizontal cooperation across corps was rare, it was far easier to achieve within a hierarchically ordered profession. During the reigns of both Louis XV and Louis XVI attempts to curb the powers of individual parlements through disciplinary edicts or exiles resulted in a complete cessation of the legal system within their jurisdiction. The parlements were capable of commanding obedience from the lawyers, advocates, and junior legal officers, whose actions were conditioned by a mixture of respect and self-interest. The judges were powerful men and their social rank and position inspired loyalty. Anyone tempted to break ranks, and that included those judges inclined to put duty to the king above *esprit de corps*, risked social ostracism and a premature end to their career.

Old regime politics can appear an elite affair, and it is true that nobles and office-holders held centre stage. They were nevertheless eager to mobilize popular support. The most dramatic instance of this was provided during the Fronde, and, on one occasion, the first president of the parlement of Paris could inform the disbelieving regent, Anne of Austria, that '50,000 armed Parisians were ready to march at his side'.<sup>8</sup> The genie of popular political activity, which came so close to being unleashed during the Fronde, was safely bottled for most of the next 150 years. Indeed one of the more remarkable features of the period is the relative absence of political violence. Driven to extremes by the policies of Richelieu and Mazarin, French elites, in both the towns and the countryside, had connived in popular revolts, either by secretly encouraging them, or by refusing to use

<sup>8</sup> Le Boindre, *Débats du parlement*, 251.

the forces of coercion at their disposal. Where revolts occurred after 1661, notably in Brittany in 1675, they were repressed with severity. Louis XIV punished the parlement of Rennes for failing to uphold his authority with sufficient vigour, by transferring it to distant Vannes where it spent the next fifteen years. It was a clear lesson to others, but French elites had little reason to complain about their treatment. The king offered order on generous terms and most were grateful to accept.

Displays of support for those engaged in conflict with the crown were therefore carefully choreographed. During the reign of Louis XV, the provincial parlements drew comfort from elaborate celebrations marking the end of their periodic quarrels with the crown. In a carnivalesque atmosphere, the various corps and guilds would parade in their finery to salute the judges. The streets were bedecked with flowers and banners, and lit in the evening to allow fireworks, music, dancing, banquets, and other distractions for the ordinary people. In 1761, the townspeople of Besançon were treated to the spectacle of a mechanically operated angel crowning the judges with laurels as they returned from exile. Two years later, their neighbours in Dijon witnessed a triumphal chariot, pulled by six black horses, and containing twenty-four local beauties, dressed as nymphs, who threw sweets to the crowds as they toured the city to bestow laurels on local judges after a battle with the provincial estates.

These were very traditional expressions of communal solidarity designed to highlight and reinforce the social hierarchy. If they strengthened the hand of the parlements in their dealings with the crown, they never challenged the authority of the king directly. Victories were not won over the monarch himself, and the crowds that cried 'long live the king, long live the parlement' were rejoicing at the re-establishment of a harmony disrupted by those shadowy figures who had temporarily 'deceived the king'.

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## The public and its opinions

Old regime politics was dominated by clientage and patronage, with corporate bodies struggling to maintain their status within a structure still defined by the personal authority of the king. Yet the impact

of cultural and economic change during the eighteenth century did produce a more politically conscious public, with the education, wealth, and leisure time needed to follow the military and diplomatic affairs of Europe and the religious and parliamentary crises of France. It is true that the Fronde had produced an outpouring of political literature, most of it incredibly crude and hostile to the queen mother and Mazarin, but it was a brush fire whose blaze was as brief as it was intense. By the eighteenth century, the climate had altered profoundly. Not only was the total volume of political literature produced much greater, but it was also sustained over a far longer period and was accessible to a greater number of people. In addition to government newspapers and court circulars, the curious could peruse foreign periodicals, clandestine pamphlets and publications, notably the Jansenist *Ecclesiastical News* (*Nouvelles ecclésiastiques*), parliamentary remonstrances (which were published despite an official ban), royal replies to those protests, handwritten broadsheets, and many other forms of literary ephemera. All told, it was a healthy diet to put before the public that gathered in the salons, academies, masonic lodges, reading rooms, coffee houses, and other places of sociability to read about or discuss current affairs.

The monarchy had always been anxious to influence public opinion, as its elaborate ritual and visual propaganda made plain. For all his imperiousness, Louis XIV was even prepared to have an appeal for public support read from the pulpits in 1709, when the harsh peace terms offered by his enemies forced him to continue waging war. Defending the royal authority against the parlements and other critics in print, as his successors were obliged to do, was, however, more difficult because it allowed the reader to make a choice that was not necessarily favourable to the crown. Both contemporaries and subsequent historians have thus described public opinion as a new tribunal that threatened to replace the king as the arbiter of conflicting political claims.

There is no doubt that all sides were conscious that popular support was a valuable weapon. On at least one occasion, the parlement of Paris was so determined to put its case to the public that it published its remonstrances, which was in itself illegal, before they were presented to the king! Ministers were no less adept, leaking information to the press and timing official announcements to maximum advantage. Policies required explanation, not only to those charged

with implementing them, but also to ordinary subjects. With the kingdom awash with print, an increasing quantity of which was far from deferential, the government's task was more onerous than ever before. In the aftermath of defeat in the Seven Years War, Louis XV went as far as to commission projects for the abolition of the *corvée* and the re-establishment of provincial estates in a bid to restore public support. It says much about his disappointing reign that these imaginative plans never left the drawing board.

Public opinion was not, however, the decisive factor in late eighteenth-century politics. Even today, despite the attention of armies of psephologists and well-heeled market researchers, it remains a fickle and elusive creature, and interpreting the effects of political literature on the eighteenth-century public is problematic. Before the reign of Louis XVI, appealing to the tribunal of public opinion, while common, did not necessarily achieve a great deal. It is difficult to cite a significant example of public sentiment radically altering royal policy, and although in 1709 Louis XIV sought to explain his actions, he would never have made peace because it was popular. A great deal of ink was spilt by the government of Louis XV justifying its declaration of war against Great Britain in 1756. Yet an outraged public reaction was not enough to persuade the king or his grandson to abandon the hugely unpopular Austrian alliance contracted in the same year. Finally, although opinion was overwhelmingly against chancellor Maupeou—whose allegedly despotic remodelling of the parlements in 1771 earned him the title of grand vizier—it was the death of Louis XV and not public hostility that brought about his fall. Like Mazarin before him, Maupeou seemed living proof that the confidence of his master, not public popularity, was the key to power in the old regime. Yet his dismissal by Louis XVI signalled a change: the new king was worried that to retain the chancellor would begin his reign on a note of unpopularity. When, eleven years later, he went so far as to consult his subjects in an assembly of Notables, the move was wittily remembered by the count de Ségur as the royal 'resignation'.

Finally, it has been suggested that the highly contentious nature of political and religious debate in the eighteenth century began to filter down the social scale, touching those excluded from the still rarefied world of print. In 1757, the long-running religious and parliamentary crises caused by Jansenism inspired a mentally confused domestic

servant, Robert-François Damiens, to make an attempt on the life of Louis XV. As police spies trawled the kingdom for possible accomplices, they discovered others praising Damiens and the more successful regicide, Cromwell, and, in the case of the military deserter Bellier de La Chauvellaïs, claiming that in the same circumstances he 'would have stuck his knife into the heart of the sacred bugger'.<sup>9</sup> Before Damiens struck, the marquis d'Argenson had recorded in his diary the appearance of regicidal placards in Paris, proclaiming, among other things, 'stir in yourselves the spirits of Ravaillac', a reference to Henri IV's notorious assassin. Disturbing as it was for Louis XV to attract such opprobrium, he could reassure himself that he was not the first to be so maligned. In 1709, the royal family had been serenaded with the insulting verse:<sup>10</sup>

Le grand père est un fanfaron,	Grandfather a braggart,
Le fils un imbécile	The son a mere fool,
Le petit-fils un grand poltron	The grandson a coward,
Ah! la Belle famille!	Fine family rule!
Que je vous plains, peuples français	Unhappy French people,
Soumis à cet empire	Subject to this sway,
Faites ce qu'ont fait les anglais	Just do like the English,
C'est assez vous le dire!	No more need I say!

Verbal abuse and insulting ditties, ballads, limericks, and other doggerel had long been directed at the monarch, his ministers, close family, and mistresses as well as at the elites of the kingdom by their social inferiors. The government was sensitive to this opinion, as its employment of an army of spies testified, but its direct political influence was minimal. Instead, the popularity of the monarchy ebbed and flowed, and the despair and anger with Louis XIV in 1709 was replaced by a tide of public affection for his great-grandson. Louis XV squandered that resource, and by 1774 he had sunk low in public esteem. Yet the accession of Louis XVI transformed matters, and the young king was genuinely popular. His own tragic fall from grace came after 1789.

<sup>9</sup> D. Van Kley, *The Damiens Affair and the Unraveling of the Ancien Régime, 1750–1770* (Princeton, 1984), 247.

<sup>10</sup> Quoted in M. Bouchard, *De l'humanisme à l'encyclopédie: l'esprit public en Bourgogne sous l'ancien régime* (Paris, 1930), 283. Translation by William Doyle.



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## Conclusion

If the ghost of Louis XIV had returned to haunt the corridors of Versailles during the 1780s, he would have found life much as he left it. Louis XVI reigned as an absolute monarch, holding council meetings as his forefather had done and ruling through the same apparatus of intendants and office-holders and the still ramshackle fiscal system that was about to bring the whole edifice crashing down. With hindsight, it is the relative weakness of the monarchy in the eighteenth century that is striking. Yet attempts at reform met with opposition because the subjects of Louis XV and Louis XVI feared that the famous intermediary powers would not be enough to prevent a strong government from degenerating into despotism. In his justly celebrated remonstrances delivered to the young Louis XVI on behalf of the Parisian court of aids, Lamoignon de Malesherbes declared: 'no one should dare to leave you in ignorance of the fact that the unanimous wish of the nation is to obtain either the Estates General or at least the provincial estates'.<sup>11</sup> His bold and eloquent plea was a sign that well before 1789 the French were moving towards the conclusion that there could be neither taxation nor legitimate government without representation.

<sup>11</sup> K. M. Baker (ed.), *The Old Regime and the French Revolution* (Chicago, 1987), 65.